

## U.S. DEPARTMENT OF COMMERCE PATENT &amp; TRADEMARK OFFICE

Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 USC 371		Attorney's Docket Number <b>SCHR3003/REF</b>
		U.S. Application Number <b>09/926,001</b>
International Application Number <b>PCT/EP00/01046</b>	International Filing Date <b>9 February 2000</b>	Priority Date Claimed <b>12 February 1999</b>
Title of Invention <b>VACCINE COMPOSITION</b>		
Applicant(s) for DO/EO/US <b>SCHRODER et al.</b>		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items under 35 USC 371:

1. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
2. ☒ An oath or declaration of the inventor(s) (35 USC 371(c)(4)). (☒ Executed ☐ Unexecuted)
3. ☒ A copy of Form PCT/DO/EO/905 dated: 13 September 2001.
4. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
5. ☒ An assignment document for recording.  
A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
6. ☐ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
7. ☐ A substitute specification.
8. ☐ A change of power of attorney and/or address letter.
9. ☒ Applicants assert claim for Small Entity Status.
10. ☐ A Request for Refund.
11. ☒ Surcharge in the amount of \$ 65.00.
12. ☒ Assignment recordation fee of \$ 40.00.
13. ☐ Processing fee of \$ for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

A check in the amount of \$ 105.00 to cover the fees is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to **Deposit Account Number 02-0200**. A duplicate copy of this sheet is enclosed.

09/20/2001 MKAYPAGH 00000031 09926001

01 FC:254

65.00 OP

Respectfully submitted,  
BACON & THOMAS, PLLC

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Phone: (703) 683-0500

Date: September 17, 2001

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

SCHRODER et al.

Serial No.: 09/926,001

Filed: August 13, 2001

For: VACCINE COMPOSITION

Attention:

PCT BOX MISSING PARTS

**RESPONSE AND SUBMISSION OF MISSING PARTS OF APPLICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is in response to the Official Action dated September 13, 2001, in connection with the above-identified application.

The Official Action acknowledges receipt of the application, but indicates that a Declaration in compliance with 37 C.F.R. §1.497(a) and (b) is required. Applicants submit herewith a properly and fully executed Declaration which identifies the application by serial number, title and PCT international application number. A copy of form PCT/DO/EO/905 is submitted herewith along with the required \$65.00 surcharge for small entity.

Applicants submit concurrently herewith an Assignment in connection with this application.

It is believed that the application is now in condition for examination. Accordingly, applicants most respectfully request that an Official Filing Receipt be issued and that the application be forwarded to the appropriate examining group for its examination in due course.

Respectfully submitted,  
BACON & THOMAS, PLLC

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September 17, 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

Date 9/15/01 Atty REF  
Action Due NTEMR  
Deadline 11/13/01  
Final Deadline \_\_\_\_\_

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/926001	SCHRODER	U
		SCHR3003/REF
INTERNATIONAL APPLICATION NO.		
PCT/EP00/01046		
I.A. FILING DATE	PRIORITY DATE	
09 FEB 00	12 FEB 99	

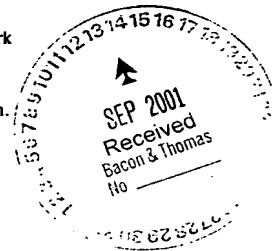
BACON & THOMAS  
625 SLATERS LANE FOURTH FLOOR  
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DATE MAILED: **13 SEP 2001**

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.   | <input type="checkbox"/> Indication of Small Entity Status.                         |
| <input checked="" type="checkbox"/> Copy of the international application.   | <input type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s).  | <input type="checkbox"/> Translation of Article 19 amendments into English.         |
| <input type="checkbox"/> Copy of Article 19 amendments.  | <input type="checkbox"/> Other:   |
| <input checked="" type="checkbox"/> Priority Document.   |   |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. |   |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.        |   |



2. ☒ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

- Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875 ☐ PCT/DO/EO/920

Pat Booker, Paralegal

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-305-3738